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PTO/SB/03 (10-00)

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**PLANT PATENT
APPLICATION (35 U.S.C. 161)
DECLARATION
(37 CFR 1.63)**

☒ Declaration Submitted with Initial Filing **OR** ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number

First Named Inventor

Way

COMPLETE IF KNOWN

Application Number

/

Filing Date

Group Art Unit

Examiner Name

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the new and distinct variety of:

Sweet Cherry Tree

plant named: 'Newfane' Cherry

which is claimed and for which a plant patent is sought, the specification of which

☒ is attached hereto **OR** ☐ was filed on (MM/DD/YYYY) 06/27/2001 as United States

Application Number 09/894,352 and was amended on (MM/DD/YYYY) 12/30/2002 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claim, as amended by any amendment specifically referred to above.

I have asexually reproduced the plant to which this application applies.

☐ Said plant was found in a cultivated area (check this box for newly found plant only)

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Check Only If	Certified Copy Attached?	
			Priority Not Claimed	YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto:

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**DECLARATION – Plant Patent Application**Direct all correspondence to: ☐ Customer Number
or Bar Code LabelOR ☒ Correspondence address below

Name Wanda Heuser Gale

Address International Plant Management, Inc.

Address 55826 60th Avenue

City Lawrence

State MI

ZIP 49064

Country USA

Telephone 800-424-2765

Fax 616-674-3758

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Roger D.

Family Name
or Surname WayInventor's
Signature

Roger D. Way

Jan. 7, 2003
Date

Residence: City Stanley

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Country USA

Citizenship US

Mailing Address 2195 Mott Road, Stanley, NY

Mailing Address NYSAES, Department of Horticulture, Cornell University

City Geneva

State NY

Zip 14456

Country USA

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Robert

Family Name
or Surname AndersenInventor's
Signature

Date

Residence: City Geneva

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Mailing Address 112 White Springs Lane, Geneva, NY 14456

Mailing Address NYSAES, Department of Horticulture, Cornell University

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Country USA

☐ Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Roger D.

Family Name or Surname Way

Inventor's Signature

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Country USA

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Robert

Family Name or Surname Andersen

Inventor's Signature

Date 1/3/03

Residence: City Geneva

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Country USA

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DECLARATION

ADDITIONAL INVENTOR(S)
Supplemental Sheet
Page 1 of 1

Name of Additional Joint Inventor, If any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Susan K.		Brown	
Inventor's Signature <i>Susan K. Brown</i>		Date <i>1/3/03</i>	
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Mailing Address <i>Department of Horticulture, NYSAES, Cornell University</i>			
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Name of Additional Joint Inventor, If any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	ZIP	Country
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